

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

In re:)	
)	
WARREN I. GREEN,)	CHAPTER 7
)	CASE NO. 13-10204-MSH
Debtor.)	
)	

TRUSTEE'S STATUS REPORT

The undersigned counsel for John O. Desmond, Chapter 7 Trustee (the "Trustee") of the bankruptcy estate of Warren I. Green (the "Debtor") hereby submits this status report (the "Status Report") per the Court's December 22, 2017 Order.¹ In support thereof, the Trustee states as follows:

1. On January 30, 2014, the Trustee filed an adversary complaint against the wife of the Debtor, Marsha S. Green (the "Defendant"). [Adv. Pro. Docket No. 14-01026-MSH].
2. Upon the direction of the Bankruptcy Court, the Trustee and the Defendant proceeded to litigate the resulting trust claim in a prior pending Superior Court action. [Middlesex Superior Court (Docket No. MISUCV2011-002897)].
3. The Superior Court entered Judgment (the "Judgment") on September 7, 2016 in favor of the Trustee on the resulting trust claim.
4. The Defendant's appellate rights have expired and the Judgment is final.

¹ In the interests of efficiency, the Trustee has not recited the full procedural history of the Adversary Proceeding and the Middlesex Superior Court action as referenced in prior Status Reports filed by the Trustee as set forth in Docket Nos. 55, 57, 67, 93, and 96.

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5. The Trustee is now proceeding with the adversary proceeding and is seeking authorization to sell the Condominium pursuant to Section 363(h) of the Bankruptcy Code.

6. On March 30, 2018, the Defendant filed a Motion for Summary Judgment in the adversary proceeding. [AP Docket 86].

7. The Trustee is in the process of opposing the Defendant's Motion for Summary Judgment.

8. As a result of the recent activity in the adversary proceeding the Trustee asserts that no further status reports should be required by the Court.

WHEREFORE, the plaintiff, John O. Desmond, Chapter 7 Trustee, requests that the Court accept this Status Report and order that no further status reports be required at this time due to the active proceedings in the adversary proceeding.

Respectfully submitted,

John O. Desmond, Chapter 7 Trustee

By his Attorneys,

/s/ Anthony R. Leone
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Dated: April 23, 2018

CERTIFICATE OF SERVICE

I, Anthony R. Leone, hereby certify that on April 23, 2018, a copy of the Trustee's Status Report was served through the Court's electronic filing system on all parties registered to receive electronic notice.

/s/ Anthony R. Leone
Anthony R. Leone